REMARKS

In response to the Office Action mailed March 10, 2009, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks and have canceled claims. The claims as now presented are believed to be in allowable condition.

Claims 1-73 were pending in this Application. By this Amendment, claims 2, 7, 34, and 39 have been canceled. Independent claim 1 has been amended to include the content of cancelled claim 2. Independent claim 6 has been amended to include the content of cancelled claim 7. Independent claim 31 has been amended to include the content of cancelled claim 34. Independent claim 38 has been amended to include the content of cancelled claim 39. Claims 68, 70, and 72 have been amended to include content in previously examined claim 59. Claims 69, 71, and 73 have been amended to include content found in previously examined claim 67. The amendments do not add new matter to the Application. Accordingly, claims 1, 3-6, 8-33, 35-38, and 40-73 are now pending in this Application. Claims 1, 6, 11, 15, 19, 23, 27, 29 31, 38, 43, 47, 51, 55, 59, 61, and 63-73 are independent claims.

Submission of Substitute Specification

The Office Action has required the submission of a substitute specification in light of the Certificate of Corrections to date. In compliance with the requirement, Applicants submit a substitute specification with this communication. The substitute specification is in compliance with the requirements of 37 CFR § 1.173(d).

Submission of Information Disclosure Statement

The Office Action has required the submission of a new Information Disclosure Statement citing all Prior Art cited on the face of the parent United States Patent and those cited on form PTO-1449 in the parent United States

Patent even if not printed on the face of the parent United States Patent. In compliance with the requirement, Applicants submit a new Information Disclosure Statement with this communication.

Compliance of Claims under 37 CFR § 1.173

The Office Action has indicated that the claims presented in the Application fail to comply with the provisions of 37 CFR § 1.173 and requires that a supplemental paper correctly amending the reissue application is required. For example, the Office Action indicates that "[c]laim 28 indicates that claim has been amended; however there is no actual amendment in claim 28." As indicated above, in response to the requirement, Applicants submit a corrected listing of the claims complying with the provisions of 37 CFR § 1.173. That is all changes from the original United States patent comply with 37 CFR § 1.173 with respect to underlines and brackets for claims, with Certificate of Corrections considered a part of the original Patent.

The Office Action has further indicated that for each limitation of each claim, Applicant is required to point to the corresponding support within the specification for the newly added claim limitations. In response to this requirement, Applicant resubmits a copy of the "Statement of Status and Support for all Changes to the Claims under 37 CFR § 1.173(c)" as originally provided on October 20, 2004.

Rejections under § 251

The Office Action has rejected claims 1-73 under 35 USC § 251 as being based upon a defective reissue oath or declaration. Applicants respectfully disagree. The reissue oath submitted with the reissue application is not defective.

On page 3, the Office Action recites that "[t]he reissue oath/declaration is defective because it fails to identify all the errors, to date, which is relied upon to support the reissue application." However, under 35 CFR §1.175(a), there is no requirement that all errors be identified. Under 35 CFR §1.175(a), in addition to complying with the requirements of § 1.63, the reissue oath or declaration must also state that:

> (1) The applicant believes the original patent to be wholly or partly inoperative or invalid by reason of a defective specification or drawing, or by reason of the patentee claiming more or less than the patentee had the right to claim in the patent, ***stating at least one error*** being relied upon as the basis for reissue; and

> (2) All errors being corrected in the reissue application up to the time of filing of the oath or declaration under this paragraph arose without any deceptive intention on the part of the applicant. (emphasis added)

In the reissue application declaration submitted on February 6, 2004, Applicants complied with both 35 CFR §1.175(a)(1) and 35 CFR §1.175(a)(2) by stating that the Applicants believed the original patent to be wholly or partly inoperative or invalid reason of the patentee claiming more or less than the patentee had the right to claim in the patent and that errors being corrected in the reissue application up to the time of filing of the oath or declaration arose without any deceptive intention. The Applicants also stated at least one error being relied upon as the basis for reissue.

Accordingly, because Applicants reissue declaration is not defective, the rejection of claims 1-73 under 35 USC § 251 should be withdrawn.

Applicants do understand that a supplemental oath or declaration for each amendment or additional correction is not required and that a cumulative supplemental oath or declaration prior to allowance of the Application.

Rejections under §101

Claims 1-73 were rejected under 35 U.S.C. §101 because the claimed invention, encompasses non-statutory subject matter.

Claims 1, 3-6, 8-26, 31-33, 35-38, 40-58, 65 and 66 have been amended to recite a method "executing on a hardware computer," as suggested by the Office Action. Support for the amendments is provided within the Specification, for example, in column 4, lines 3-8. The amendments do not add new matter to the Application and to not raise new issues requiring further searching or consideration.

Claims 27-30, 59-64, 68, 70, and 72 have been amended to recite a "hardware system," as suggested by the Office Action. Support for the amendments is provided within the Specification, for example, in column 4, lines 3-8. The amendments do not add new matter to the Application and do not raise new issues requiring further searching or consideration.

Claims 67, 69, 71, and 73 have been amended to recite a "hardware apparatus," as suggested by the Office Action. Support for the amendments is provided within the Specification, for example, in column 4, lines 3-8. The amendments do not add new matter to the Application and do not raise new issues requiring further searching or consideration.

Accordingly, based upon the amendments to claims1, 3-6, 8-33, 35-38, and 40-73, the rejection of claims 1, 3-6, 8-33, 35-38, and 40-73 under 35 U.S.C. §101 should be withdrawn.

Rejections under §112

Claims 1-73 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject

matter which the applicant regards as the invention. The Office Action asserts on page 4 that "[t]he scope and meaning of the claim language is not clear since it cannot be clearly ascertained if the claims encompass only hardware or software, or a combination since there is no clear recital of actual hardware." As indicated above, claims 1, 3-6, 8-26, 31-33, 35-38, 40-58, 65 and 66 have been amended to recite a method "executing on a hardware computer," claims 27-30, 59-64, 68, 70, and 72 have been amended to recite a "hardware system," and claims 67, 69, 71, and 73 have been amended to recite a "hardware apparatus," as suggested by the Office Action. Based on the amendments, the claims encompass hardware. Accordingly based upon the amendments to claims 1-73, the rejection of claims 1, 3-6, 8-33, 35-38, and 40-73 under 35 U.S.C. §112, second paragraph, should be withdrawn.

<u>Rejections under §102 and §103</u>

Claims 1-73 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,263,369 to Sitaraman et al. (hereinafter <u>Sitaraman</u>).

Applicants respectfully traverse each of these rejections and request reconsideration. The claims are in allowable condition.

Independent claims 1 as amended with cancelled claim 2, 6 as amended with cancelled claim 7, 11, 15, 19, 23, 31 as amended with cancelled claim 34, 38 as amended with cancelled claim 39, 43, 47, 51, 55, and 65 were rejected as being anticipated by <u>Sitaraman</u>. Taking amended claim 1 as an example, claim 1 relates to a method executing on a hardware computer for managing network access to a data communications network, comprising maintaining a central database, maintaining at least one authentication, authorization and accounting (AAA) service at a point of presence (PoP) of the data communications network, configuring a database associated with the AAA service from the central database, wherein said configuring includes publishing information from said

central database on an information bus as at least one event, said AAA service subscribing to said event so as to receive said published information so as to thereby update its associated database, receiving at a protocol gateway in the PoP a network access request from a user through a network access server (NAS), parsing the network access request for an identification of the user's domain, routing the network access request to the AAA service at the PoP if the user's domain corresponds to that of the PoP, looking up a domain identification entry corresponding to the user's domain in the AAA service's database if the user's domain does not correspond to that of the PoP, and proxying the network access request to an AAA service in the user's domain at an address and port as specified in the domain identification entry of the database if the user's domain does not correspond to that of the PoP.

Sitataraman relates to providing network access to a communications system by locally authenticating and authorizing access requests. Column 1, lines 8-11. In Sitataraman a communications system 70 includes access points 76, 78, and 80. Where each access point is associated with a client, an access event publisher, at least one local cache, and a protocol interface. Column 4, lines 14-17.

In Sitataraman, when supporting local processing of access requests, and with reference to Sitataraman's Fig. 4, an access request is received by an access point via a client, such as a network access server. Column 10, lines 10-11. A local cache of Sitataraman, such as local cache 84 in FIG. 2, provides a user record that corresponds to the subscriber who initiated the access request. Column 10, lines 17-20. Further in Sitataraman, the access request is then authenticated and authorized, and if applicable, a network address, such as an IP address, is procured dynamically. Column 10, lines 22-24. Sitataraman recites that "authentication and authorization services may be procured using the services of a AAA server, such as AAA server 112 in FIG. 2, while a dynamically

allocated IP address may be procured from a DHCP server, such as DHCP server 114." Column 10, lines 25-29.

Claims 1 as amended with cancelled claim 2, 6 as amended with cancelled claim 7, 11, 15, 19, 23, 31 as amended with cancelled claim 34, 38 as amended with cancelled claim 39, 43, 47, 51, 55, and 65 were rejected as being anticipated by Sitaraman. However claims 1, 6 , 11, 15, 19, 23, 31, 38, 43, 47, 51, 55, and 65 are patentable over Sitaraman because Sitaraman does not teach or suggest all of the elements of claims 1, 6 , 11, 15, 19, 23, 31, 38, 43, 47, 51, 55, and 65. For example, Sitaraman does not teach or suggest "proxying the network access request to an AAA service in the user's domain at an address and port as specified in the domain identification entry of the database if the user's domain does not correspond to that of the PoP," as claimed by Applicants.

As indicated above, when the access point 76 of Sitaraman receives an access request, the access request is authenticated and authorized by the AAA server 112. Accordingly, Sitaraman does not teach or suggest "proxying the network access request *to an AAA service in the user's domain* at an address and port as specified in the domain identification entry of the database *if the user's domain does not correspond to that of the PoP*," as claimed by Applicants. Instead, in Sitaraman the network access request is authenticated and authorized by the AAA server 112 of the access point 76.

Furthermore, while the Office Action recites, with respect to the rejection of claim 34, on page 5 that Sitaraman teaches "if…a user is not in the local cache, proxy the roaming user now assigned an IP address from a DHCP," Applicants are unclear how "assigning an address from a DHCP" teaches or suggests "proxying the network access request *to an AAA service in the user's domain* at an address and port as specified in the domain identification entry of the database *if the user's domain does not correspond to that of the PoP*,"

as claimed by Applicants. If the rejection of claims 1, 6, 11, 15, 19, 23, 31, 38, 43, 47, 51, 55, and 65 is to be maintained, Applicants respectfully request that it be pointed out with particularity where the cite prior art teaches "proxying the network access request to an AAA service in the user's domain at an address and port as specified in the domain identification entry of the database if the user's domain does not correspond to that of the PoP," as claimed by Applicants.

For the reasons stated above, claims 1, 6, 11, 15, 19, 23, 31, 38, 43, 47, 51, 55, and 65 patentably distinguish over the cited prior art, and the rejection of claims , 6, 11, 15, 19, 23, 31, 38, 43, 47, 51, 55, and 65 under 35 U.S.C. §102(e) should be withdrawn. Accordingly, claims 1, 6, 11, 15, 19, 23, 31, 38, 43, 47, 51, 55, and 65 are in allowable condition. Because claims 3-5 depend from and further limit claim 1, claims 3-5 are in allowable condition for at least the same reasons. Because claims 8-9 depend from and further limit claim 6, claims 8-9 are in allowable condition for at least the same reasons. Because claims 12-14 depend from and further limit claim 11, claims 12-14 are in allowable condition for at least the same reasons. Because claims 16-18 depend from and further limit claim 15, claims 16-18 are in allowable condition for at least the same reasons. Because claims 20-22 depend from and further limit claim 19, claims 20-22 are in allowable condition for at least the same reasons. Because claims 24-26 depend from and further limit claim 23, claims 24-26 are in allowable condition for at least the same reasons. Because claims 32, 33, and 35-37 depend from and further limit claim 31, claims 32, 33, and 35-37 are in allowable condition for at least the same reasons. Because claims 40-42 depend from and further limit claim 38, claims 40-42 are in allowable condition for at least the same reasons. Because claims 44-46 depend from and further limit claim 43, claims 44-46 are in allowable condition for at least the same reasons. Because claims 48-50 depend from and further limit claim 47, claims 48-50 are in allowable condition for at least the same reasons. Because claims 52-54 depend from and further limit claim 51, claims 52-54 are in allowable condition for at least the same reasons. Because

claims 56-58 depend from and further limit claim 55, claims 56-58 are in allowable condition for at least the same reasons.

Claims 27, 29, 59, 61, 64, 68, 70, and 72 were rejected under 35 U.S.C. §102(e) as being anticipated by Sitaraman. Taking claim 27 as an example, claim 27 relates to a hardware system for data communications network access management, comprising a central database containing information identifying access information for authentication, authorization and accounting (AAA) services associated with domains of the data communications network, a publisher, said publisher publishing information from said central database to subscribers over an information bus, a point of presence (PoP) on the data communications network, said PoP including a protocol gateway in communication with at least one network access server (NAS), an AAA service associated with said PoP and in communication with said protocol gateway, said AAA service subscribing to information published by said publisher, and a proxy service associated with the PoP and in communication with said protocol gateway, said proxy service subscribing to information published by said publisher, said protocol gateway receiving network access requests from users over the NAS, parsing the requests for domain identification and routing the requests for domains other than those associated with the PoP to the proxy service, said proxy service routing network access requests to AAA services in remote domains in accordance with said access information.

While claims 27, 29, 59, 61, 64, 68, 70, and 72 were rejected as being anticipated by Sitaraman, Sitaraman does not teach or suggest all of the elements of Applicants' claims 27, 29, 59, 61, 64, 68, 70, and 72. For example, Sitaraman does not teach or suggest "said proxy service routing network access requests to AAA services in remote domains in accordance with said access information," as claimed by Applicants.

As indicated above, Sitaraman does not teach or suggest "proxying the network access request to an AAA service in the user's domain at an address and port as specified in the domain identification entry of the database if the user's domain does not correspond to that of the PoP," as claimed by Applicants. For at least the same reasons, Sitaraman does not teach or suggest "said proxy service routing network access requests to AAA services *in remote domains* in accordance with said access information," as clamed by Applicants.

For the reasons stated above, claims 27, 29, 59, 61, 64, 68, 70, and 72 patentably distinguish over the cited prior art, and the rejection of claims 27, 29, 59, 61, 64, 68, 70, and 72 under 35 U.S.C. §102(e) should be withdrawn. Accordingly, claims 27, 29, 59, 61, 64, 68, 70, and 72 are in allowable condition. Because claim 28 depends from and further limits claim 27, claim 28 is in allowable condition for at least the same reasons. Because claim 30 depends from and further limits claim 29, claim 30 is in allowable condition for at least the same reasons. Because claim 60 depends from and further limits claim 59, claim 60 is in allowable condition for at least the same reasons. Because claim 62 depends from and further limits claim 61, claim 62 is in allowable condition for at least the same reasons.

Claims 66, 67, 69, 71, and 73 were rejected under 35 U.S.C. §102(e) as being anticipated by Sitaraman. Taking claim 66 as an example, claim 66 relates to a method executing on a hardware computer for managing network access accounting in a data communications network, said method comprising maintaining a central database coupled to the data communications network, maintaining at least a local authentication, authorization and accounting (AAA) service at a local point of presence (PoP) of the data communications network, configuring a database associated with the local AAA service from the central database by transporting information from the central database over the data communications network to the database associated with the local AAA service,

receiving accounting information from a network access server (NAS) responsive to utilization of the data communications network by a user coupled to the data communications network through the NAS, forwarding said accounting information to the local AAA service if the user's domain corresponds to that of the local PoP, and forwarding said accounting information to a remote AAA service in the user's domain at an address and port as specified in the domain identification entry of the local AAA service's database if the user's domain does not correspond to that of the local PoP.

While claims 66, 67, 69, 71, and 73 were rejected as being anticipated by Sitaraman, Sitaraman does not teach or suggest all of the elements of Applicants' claims 66, 67, 69, 71, and 73. For example, Sitaraman does not teach or suggest "forwarding said accounting information to a remote AAA service in the user's domain at an address and port as specified in the domain identification entry of the local AAA service's database if the user's domain does not correspond to that of the local PoP," as claimed by Applicants.

As indicated above, Sitaraman does not teach or suggest "proxying the network access request to an AAA service in the user's domain at an address and port as specified in the domain identification entry of the database if the user's domain does not correspond to that of the PoP," as claimed by Applicants. For at least the same reasons, Sitaraman does not teach or suggest "forwarding said accounting information *to a remote AAA service in the user's domain* at an address and port as specified in the domain identification entry of the local AAA service's database if the user's domain does not correspond to that of the local PoP," as clamed by Applicants.

For the reasons stated above, claims 66, 67, 69, 71, and 73 patentably distinguish over the cited prior art, and the rejection of claims 66, 67, 69, 71, and

73 under 35 U.S.C. §102(e) should be withdrawn. Accordingly, claims 66, 67, 69, 71, and 73 are in allowable condition.

Conclusion

In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this effect is respectfully requested. If the Examiner believes, after this Response, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, please charge any deficiency to Deposit Account No. 50-3661.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-2900, in Westborough, Massachusetts.

Respectfully submitted,

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